

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re: Monette E. Saccameno, Debtor	NO. 09-49467 Chapter 13 Honorable Judge Timothy A. Barnes
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NOTICE OF MOTION

TO: SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that on January 14, 2016, at 9:30 AM, the undersigned will appear before the Honorable Timothy A. Barnes at the Dirksen Federal Building, located at 219 S. Dearborn Street, Courtroom 744, Chicago, Illinois and will then and there present the attached JOINT MOTION FOR EXTENSION OF DISCOVERY, at which time you may appear if you so choose.

Certificate of Service

I, Paul M. Bach, hereby certify that I caused a copy of this notice to be served, via ECF to Robert Brunner, Aaron Davis, Marilyn O. Marshall (Chapter 13 Trustee) and the United States Trustee the attached Motion upon the above parties on January 11, 2016, before the hour of 5:00 p.m. from the office located at 900 Jorie Blvd., Ste 150, Oak Brook, IL 60523.

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UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:)
) Case No. 09-49467
Monette E. Saccameno,) Chapter 13
)
Debtor,) Hon. Timothy A. Barnes
)

JOINT MOTION FOR EXTENSION OF DISCOVERY

Debtor, Monette E Saccameno (“Debtor” and, collectively with Lender, the “Parties”), and Ocwen Loan Servicing, LLC (“Ocwen”), U.S. Bank National Association, as Trustee for the C-Bass Mortgage Loan Asset Backed Certificates, Series 2007 RP1 (“US Bank as Trustee”) (collectively with Ocwen, the “Lender”) through their undersigned counsel, hereby moves for the entry of an Order staying the discovery cutoff deadline of January 11, 2016 to allow a Settlement Conference to proceed before Magistrate Judge Cox. In support of this Joint Motion, the Parties state as follows:

1. On January 26, 2015, Debtor filed a motion to reopen this case, and filed a motion for civil contempt against Lender for violation of the bankruptcy injunction regarding a discharged Debtor (the “Bankruptcy Contested Matter”).
2. On October 15, 2015, the Court entered an order requiring all discovery to be completed no later than January 11, 2016 (the “Discovery Scheduling Order”).
3. Prior to entry of the Discovery Scheduling Order, on February 5, 2015, Debtor commenced an action in the District Court for the Northern District of Illinois alleging federal and state causes of action (the “District Court Case”) on many of the same underlying facts as the Bankruptcy Motion.

4. To date, the Parties have worked towards completing the necessary fact discovery by the January 11, 2016 deadline.

5. However, the Parties have also been active in the District Court Case, including, without limitation, Lender's motion to Withdraw the Reference, requesting the District Court assert jurisdiction over the matter proceeding before this Court in order to deal with all of the issues related to the underlying facts (the "Motion to Withdraw the Reference"). The District Court has denied the Motion to Withdraw the Reference for the time being and the Parties have requested a Settlement Conference before the assigned Magistrate Judge (Judge Cox). Judge Cox has set a status date for January 19, 2016 to set a Settlement Conference.

6. No discovery deadlines have been set in the District Court Case as of the filing of this motion and Judge Cox will supervising any discovery as well. Additionally, the parties wish to not proceed with Discovery in this case or the District Court Case until the Settlement Conference is unsuccessful.

7. Furthermore, both Parties believe depositions will need to be scheduled, and the Parties further believe experts will be required regarding damages, none of which can be completed by the current discovery deadline.

8. This Motion is not for the purpose of delay, and no party to this action will be prejudiced by the extension of the discovery cutoff deadline.

9. All counsel of record consent to the relief requested in this Motion.

WHEREFORE, Monette E. Saccameno and Ocwen Loan Servicing, LLC ("Ocwen"), U.S. Bank National Association, as Trustee for the C-Bass Mortgage Loan Asset Backed Certificates, Series 2007 RP1, and Monette E. Saccameno request that this Court enter an order

staying discovery until after a Settlement Conference before Magistrate Judge Cox and for any further relief this court deems just.

Dated: January 11, 2016

MONETTE E. SACCAMENO

By:/s/Paul M. Bach _____
Paul M. Bach, one of her attorneys

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OCWEN LOAN SERVICING, LLC and
U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE

By: /s/ Aaron Davis
One of Its Attorneys

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